

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants :Edith SORENSEN

Appl. No. : 10/582,079

Filed : June 8, 2006

Confirmation No. : 3993

For : A SOLID ORAL TOOTH WHITENING CONFECTIONARY COMPOSITION

**REQUEST FOR REFUND**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop 16  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir :

Applicants respectfully request a refund in the amount of \$208.00 that was charged to Deposit Account No. 19-0089 on July 21, 2010 in connection with the filing of the Amendment under 37 C.F.R. 1.116 on July 19, 2010.

The basis of this Request for Refund is that the account was charged for 4 extra claims in excess of 20 upon filing the Amendment on July 19, 2010. However, Applicants had already paid for the additional claim fee on October 26, 2006, together with filing of the Supplemental Preliminary Amendment, a copy of which is attached hereto. Applicants also enclose a copy of our mailroom date-stamped filing receipt evidencing the filing of the same.

Please make payment of the refund to Deposit Account No. 19-0089.

Respectfully Submitted,  
Edith SORENSEN



Neil F. Greenblum

Reg. No. 28394

Arnold Turk

Reg. No. 33094

October 6, 2010  
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P30006.A01

Appln. No. 10/582,079

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Edith SORENSEN

Group Art Unit: Unknown

Appln. No. : 10/582,079

(National Stage of International Application No. PCT/EP2004/013963)

Examiner: Unknown

Filed : June 8, 2006

For : A SOLID ORAL TOOTH WHITENING CONFECTIONARY  
COMPOSITION

**SUPPLEMENTAL PRELIMINARY AMENDMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Further to the Preliminary Amendment filed June 8, 2006, entry of the following  
Supplementary Preliminary Amendment is respectfully requested.

**Amendments to the Claims** appear in the Listing of Claims beginning on page 2  
of this Preliminary Amendment.

**Remarks** begin on page 7 of this Preliminary Amendment.

**AMENDMENTS TO THE CLAIMS**

The claims in this listing replace all prior versions and listings of claims in the application.

**Listing of Claims:**

1. (Currently Amended) A solid oral tooth whitening lozenge composition comprising more than 75% by weight of solid materials, said composition comprising:

- a) a lozenge base,
- b) ~~conventional~~ lozenge additives, and
- c) a tooth whitening agent comprising calcium pyrophosphate.

2. (Currently Amended) ~~[[A]]~~ The composition according to claim 1 ~~in which~~ wherein said calcium pyrophosphate is present in an amount of between 0.1 and 10% by weight of the composition.

3. (Currently Amended) The composition according to claim 2 ~~in which~~ wherein said calcium pyrophosphate is present in an amount of between 0.5% and 9%, ~~preferably between 1.0 % and 6.5 %, even more preferably between 1.5 % and 4.0 %,~~ by weight of the composition.

4. (Currently Amended) The composition according to claim 1 ~~in which~~ wherein said ~~conventional~~ lozenge ingredients additives ~~comprise one or more~~ at least one of the following: sweeteners, high intensity sweeteners, taste enhancers, ~~flavouring~~ flavoring agents, ~~colouring~~ coloring agents.

5. (Currently Amended) The composition according to claim 1 ~~in which~~ wherein said composition is essentially sugar-free.

6. (Currently Amended) The composition according to claim 1 comprising ~~one or more~~ at least one additional tooth whitening ~~agents~~ agent.

7. (Currently Amended) The composition according to claim 6 ~~in which~~ wherein said at least one additional tooth whitening ~~agent(s) is/are~~ agent is present in between 0.01% and 5.0%, ~~more particularly between 0.05 and 1.0%, most preferably between 0.1% and 0.5%~~ by weight of the composition.

8. (Currently Amended) The composition according to claim 6 ~~in which~~ wherein said at least one additional tooth whitening agent comprises a bicarbonate salt.

9. (Currently Amended) The composition according to claim 8 ~~in which~~ wherein said at least one additional tooth whitening agent comprises sodium bicarbonate, said agent being present in between 0.1% and 0.5% by weight of the composition.

10. (Currently Amended) The composition according to claim 1 ~~in which~~ wherein at least one of said additives and/or and said tooth whitening ~~agents are~~ agent is encapsulated.

11. (Currently Amended) The composition according to claim 1 further comprising ~~one or more~~ at least one of the following: oral hygiene promoting agents, anti-calculus agents, anti-microbial agents, anti-inflammatory agents, ~~desensitising~~ desensitizing agents, therapeutically active agents, and remineralising remineralizing agents.

12. (Previously Presented) The composition according to claim 1 further comprising a supplement.

13. (Currently Amended) The composition according to claim 12 ~~in which~~ wherein said supplement comprises vitamin C.

14. (Currently Amended) The composition according to claim 11 ~~in which~~ wherein

said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.1% and 25%, particularly between 0.4% and 10%, preferably between 0.6% and 5.0%, more preferably between 0.7 % and 3.5%, even more preferably between 0.8 % and 2.5% by weight of the composition.

15. (Previously Presented) The composition according to claim 1 in the form of hard-boiled lozenges.

16. (Currently Amended) A ~~use of~~ method whitening tooth surfaces comprises applying a composition according to claim 1 to ~~whiten~~ tooth surfaces.

17. (Currently Amended) ~~A use of a composition~~ The method according to claim 4 ~~to whiten tooth surfaces, 16 wherein said tooth surfaces being discoloured after use of~~ are discolored by red wine or related products.

18. (Currently Amended) ~~A use of a composition~~ The method according to claim 4 ~~to whiten tooth surfaces, 16 wherein said tooth surfaces being discoloured after use of~~ are discolored by coffee-related products.

19. (Previously Presented) A method of whitening tooth surfaces by consuming a solid, oral tooth whitening lozenge composition according claim 1.

20. (Currently Amended) A method of whitening tooth surfaces by consuming a solid oral tooth whitening lozenge composition according to claim 1, said tooth surfaces being discoloured discolored after use of red wine or related products.

21. (Currently Amended) A method of whitening tooth surfaces by consuming a solid oral tooth whitening lozenge composition according to claim 1, said tooth surfaces being discoloured discolored after use of coffee-related products.

22. (New) The composition according to claim 3 wherein said calcium pyrophosphate is present in an amount of between 1.0 % and 6.5 % by weight of the composition.

23. (New) The composition according to claim 3 wherein said calcium pyrophosphate is present in an amount of between 1.5 % and 4.0 % by weight of the composition.

24. (New) The composition according to claim 7 wherein said at least one additional tooth whitening agent is present in between 0.05 and 1.0% by weight of the composition.

25. (New) The composition according to claim 7 wherein said at least one additional tooth whitening agent is present in between 0.1% and 0.5% by weight of the composition.

26. (New) The composition according to claim 11 wherein said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.4% and 10% by weight of the composition.

27. (New) The composition according to claim 11 wherein said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.6% and 5.0% by weight of the composition.

28. (New) The composition according to claim 11 wherein said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.7 % and 3.5% by weight of the composition.

29. (New) The composition according to claim 11 wherein said composition further comprises an oral hygiene promoting agent, and the oral hygiene promoting agent comprises urea, said urea being present in between 0.8 % and 2.5% by weight of the composition.



**REMARKS**

The Examiner is respectfully requested to enter the foregoing amendment prior to examination of the above-identified patent application which places the claims more in accordance with idiomatic English and standard U.S. practice.

The amendment has not been made to overcome the prior art, and thus, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Edith SORENSEN

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October 26, 2006  
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10/26/2006

File In: M4/room

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Amendment <u>Supplemental Preliminary</u>         | <input type="checkbox"/> Claim of Priority & Certified Copy of _____   |
| <input type="checkbox"/> Executed Assignment and cover letter                         | <input type="checkbox"/> Declaration <input type="checkbox"/> Executed |
| <input type="checkbox"/> Executed S.E.S. <input type="checkbox"/> S.E.S. Assertion    | <input type="checkbox"/> Unexecuted                                    |
| <input type="checkbox"/> Req. for Ext. of Time  | <input type="checkbox"/> Copy from parent                              |
| <input checked="" type="checkbox"/> Fee Filing <input checked="" type="checkbox"/>    | <input checked="" type="checkbox"/> Transmittal Letter                 |
| Recording <input type="checkbox"/>  | <input checked="" type="checkbox"/> Patent Application                 |
| Issue <input type="checkbox"/>  | <input type="checkbox"/> Provisional <input type="checkbox"/> Reexam   |
| Extension <input type="checkbox"/>  | <input type="checkbox"/> Reissue <input type="checkbox"/> Design       |
| Publication <input type="checkbox"/>  | <input type="checkbox"/> Continuation <input type="checkbox"/> CIP     |
| <input type="checkbox"/> Fee Transmittal  | <input type="checkbox"/> Divisional                                    |
| <input type="checkbox"/> Maintenance Fee Payment                                      | _____ pages (w/abstract)   |
| <input type="checkbox"/> PTOL-85B Issue Fee & Publication Fee (with Copy)             | _____ claims _____ independent   |
| <input type="checkbox"/> Cover Letter Regarding Drawings                              | _____ sheets of drawings   |
| <input type="checkbox"/> Design Patent Application Transmittal                        | _____ figures  |
| <input type="checkbox"/> Utility Patent Application Transmittal                       | <input checked="" type="checkbox"/> I.D.S. form PTO-1449 &             |
| <input type="checkbox"/> Provisional Application Cover Sheet                          | Documents <input type="checkbox"/> as attached                         |
| <input type="checkbox"/> Request for Continued Examination (RCE) including Submission | <input checked="" type="checkbox"/> as listed on reverse               |
| <input type="checkbox"/> Cover Letter   | <input type="checkbox"/> One self-addressed postcard                   |
| <input type="checkbox"/> Credit Card Payment for \$ (Form PTO-2038)                   | <input type="checkbox"/> Certification under 1.97(e)                   |
| <input checked="" type="checkbox"/> Check No. 59072 for \$ 400.00                     | <input type="checkbox"/> Certificate of Mailing (C-O-M)                |
| <input type="checkbox"/> Rule 53b and 53f Letter for Unexecuted Application           | <input type="checkbox"/> Returned Envelope                             |
| <input type="checkbox"/> Application Data Sheet                                       |  |

In the matter of : A SOLID ORAL TOOTH WHITENING CONFECTIONARY COMPOSITION

Applicant : Edith SORENSEN *et al.*

Application No. : 10/582,079

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